

REMARKS

Applicant thanks the Examiner for indicating that claim 5 is directed to allowable subject matter and has rewritten that claim in independent form. New claim 16 preserves the subject matter of previous claim 5/2 and is likewise allowable. Applicant acknowledges the election of claims 1-8, without traverse, and has canceled non-elected claims 9-15 without prejudice. Applicant has amended claims 3 and 7 to correct informalities in the preliminary amendment. Applicant has also amended claim 1 to clarify that the casing is separate from the holding elements. Entry of these amendments is respectfully requested.

Claims 1-4 and 6-8 stand rejected under 35 USC 103(a) on applicant's admitted prior art in view of Clark and Clements. This rejection is respectfully traversed.

The prior art cited by the Examiner proposes a number of approaches that, in the end, do not suggest the subject matter of the claims as amended. Clark does, indeed, disclose using arbor 6 to support main core 7, but not by holding the core as claimed, since arbor 6, which, in the relevant embodiment of Clark's FIG. 9, depicting a hollow last, is formed with a curve so as to engage with the core (page 2, lines 49-61). Although the arbor is designed to be removed from the completed article, there is no way in Clark's scheme that a separate casing like that claimed could be used separate from the arbor. Thus, the first premise of the rejection, that Clark teaches a holding element as claimed that may be used in conjunction with a separate casing, is not supported by the evidence.

The Examiner then relies on Clements as disclosing "a metallic casing (11)" having the same composition as the finished product. However, the arms, not "casings," 11 of Clements are not separate from the holding elements as claimed – the casings 11 are *themselves* the holding elements. See, col. 2, lines 24-30, in which Clements explains that the arms 11 are used to support the core 13; there are no other holding elements.

Although the prior art discloses holding elements in Clark and a structure that functionally corresponds to the claimed casing, there is no reason based on evidence from the

prior art without hindsight use of applicant's disclosure to have provided both holding elements and a separate casing as claimed. Accordingly, the rejection of claims 1-4 and 6-8 under 35 USC 103(a) should be withdrawn.


Early action allowing claims 1-8 and 16 is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 246472008400.

Respectfully submitted,

Dated: August 14, 2007

By:


Barry E. Bretschneider
Registration No. 28,055

Morrison & Foerster LLP
1650 Tysons Boulevard, Suite 400
McLean, Virginia 22102
Telephone: (703) 760-7743
Facsimile: (703) 760-7777